

# Wetlands Bureau Decision Report

Decisions Taken  
09/12/2011 to 09/18/2011

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2005-01976                      JENKINS FARM LLC**  
**CHESTER   Wilson Brook**

### Requested Action:

Approve name change to: Jenkins Farm, LLC, 981 Second Street, Manchester, NH 03102 request received September 15, 2011.

Previous owner: WKET Nominee Realty Trust.

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### Conservation Commission/Staff Comments:

No Comments were submitted by the Chester Conservation Commission.

Inspection Date: 06/14/2006 by Eben M Lewis

### APPROVE NAME CHANGE:

Dredge and fill a total of 7,105 sq. ft. (reduced from 9,462 sq. ft.) of palustrine forest and emergent wetland to include impacting 120 linear ft. (reduced from 280 linear ft.) of intermittent stream to construct a roadway for an 62 single family residential lots on approximately 219.91 acre parcel of land with approximately 141.83 acres reserved as open space.

### With Conditions:

1. All work shall be in accordance with plans by Promised Land Survey, LLC and Long Beach Development Associates, LLC dated December 6, 2010 and revised through 05-11-11, as received by the Department on June 8, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Pease Office in Portsmouth, N.H. to review the conditions of this wetlands permit and the NHDES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, their professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. This permit shall not be effective until it has been recorded with the county Rockingham County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
10. Work shall be done during seasonal no/low flow conditions.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2010-02824                      HERMAN, WILL**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Applicant requests that permit be amended to include a permanent boatlift.

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Inspection Date: 07/28/2011 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Remove a 205 sq ft portion of an existing breakwater, a 4 ft x 7 ft section of cantilevered pier, two piling piers, a 36 ft walkway, a 32 ft x 30 ft seasonal canopy three tie off piles and one, 3 pile ice cluster.

Fill 600 sq of lakebed to construct 67 linear ft of breakwater, in an "L" configuration, with a 8 ft gap at the shoreline with a 4 ft x 30 ft cantilevered pier connected to a 6 ft x 50 ft wharf by a 4 ft x 33 ft cantilevered walkway, install a 32 ft seasonal canopy with a width ranging from 25 ft to 34 ft, drive three tie off piles, install a permanent boatlift, and dredge 10.5 cubic yards from 650 sq ft of lakebed on an average of 291 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. Work shall be in accordance with plans by Beckwith Builders dated October 11, 2010, as received by the Department on October 14, 2010 with the exception that no deck or structure may be constructed on top of the breakwater.
2. The permanent lift shall be installed accordance with plans by Watermark Marine Construction dated August 22, 2011, as received by the Department on August 30, 2011.
3. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. All dredged material and construction related debris shall be disposed of out of DES Wetlands Bureau jurisdiction.
15. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within

the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), modification of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
3. The applicant has an average of 291 feet of frontage along Lake Winnepesaukee, Wolfeboro.
4. A maximum of 4 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A and therefore meets Rule Wt 402.12.
6. Public hearing is not required based on the findings of the field inspection, by NH DES staff, on January 26, 2006 during the review of File 2008-616.
7. The inspection found that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2011-00521                      NH DEPT OF TRANSPORTATION**  
**HOOKSETT   Tributary To Merrimack River / Unnamed Wetlands**

Requested Action:

Extend embankments and modify drainage to widen the roadway to accommodate open road tolling impacting 9,098 sq. ft. (3,881 sq. ft. temporary) of palustrine and riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comments

River Comm. - no comments

APPROVE PERMIT:

Extend embankments and modify drainage to widen the roadway to accommodate open road tolling impacting 9,098 sq. ft. (3,881 sq. ft. temporary) of palustrine and riverine wetlands. NHDOT project 15803.

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc., as received by the Department on March 15, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Construction equipment shall not be located within surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes

steeper than 2:1.

10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.

12. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.

13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

16. The impacts associated with the temporary work shall be restored immediately following construction.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f) and (i), projects adjacent to designated prime wetlands and impacts to more than 200 linear feet of stream banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. The project was discussed at the monthly Natural Resource Agency meetings were held at the NH Dept. of Transportation (NHDOT) on Jan. 20, 2010 and March 17, 2011 to coordinate the project.

6. The project will improve traffic capacity.

7. Information provided by the Natural Heritage Bureau and NH Fish and Game Dept. indicates that as the project does not direct drainage toward or modify the hydrology of Pinnacle Pond it is not expected to impact the noted species.

8. DES finds that this project will not have a significant impact on these palustrine and riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

9. The design to maintain the existing drainage and no new drainage will be directed to the prime wetlands will protect the ability of the wetlands to retain floodwaters and silt.

10. The approved plans and conditions of the permit will maintain the same hydrology and same amount of existing disturbance around the Prime Wetland area relative to the project area.

11. Based on the review of state and federal agencies the DES believes the project involves minor environmental impacts and no impact to designated prime wetlands.

12. Based on findings #7-11 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

#### MINOR IMPACT PROJECT

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**2006-00412                      SNYDER, ELSIE**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Request permit time extension.

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With Conditions:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01. 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01. 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2010-02458                      WILMARTH, RUSSELL/FRANCINE**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Applicant requests to repair an existing "U" shaped docking system, widen the interior boat slip from 10 ft 6 in to 12 ft by reducing the dock widths from 8 ft 3 in to 7 ft 6 in, install a permanent boat lift in the center slip, and retain an unpermitted seasonal PWC lift and a seasonal canopy after the fact on an average of 160 ft of frontage on Lake Winnepesaukee, in Alton.

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Conservation Commission/Staff Comments:

Con Com submitted comments, no permit for seasonal canopy, proposed permanent lift within abutters setback,

DENY PERMIT:

Repair an existing "U" shaped docking system, widen the interior boat slip from 10 ft 6 in to 12 ft by reducing the dock widths from 8 ft 3 in to 7 ft 6 in, install a permanent boat lift in the center slip, and retain an unpermitted seasonal PWC lift and a seasonal canopy after the fact on an average of 160 ft of frontage on Lake Winnepesaukee, in Alton.

With Findings:

Standards for Approval

1. Pursuant to Rule Env-Wt 303.03(d), modification of a 3 slip permanent docking facility this project is classified as a minor impact project.
2. In accordance with Env-Wt 402.21 Modification of Existing Structures. "The department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration."
3. Pursuant to RSA 482-A:3, XIII(a), all docks shall be located at least 20 feet from any abutting property line or imaginary extension of the property line over surface water, unless the provisions of RSA 482-A:3, XIII, (c) or (d) are met.
4. In accordance with RSA 482-A:11, Administrative Provisions, no permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
5. In accordance with RSA 482-A:3, XIV, (a), (2), any request for additional information under this subparagraph shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application.
6. In accordance with Env-Wt 402.03, (a), (1), Dimensions, the standards dimensions for a permanent dock on Lake Winnepesaukee shall not exceed a deck width of 6 feet and deck length of 30 feet, measured from normal high water mark.
7. In accordance with Env-Wt 402.13 "Frontage Over 75', there shall be a minimum of 75' of shoreline frontage on the property for

the first 2-slip structure and an additional 75' of shoreline frontage on the property for each additional boating slip or securing location on a structure for non-commercial use. This section shall not be interpreted to prevent construction of a dock on lots with less than 75' of shoreline frontage as provided in Env-Wt 402.12.slips per frontage."

8. In accordance with Env-Wt 402.06 "Permanent Docks. (a) Subject to (b) and (m), below, an application for a permanent dock shall be approved only when an applicant establishes that: (1) The proposed permanent dock will be located on a lake of over 1,000 acres; and

(2) The proposed site for the dock is exposed to a design fetch of at least 1 mile between compass headings 245 to 340 degrees, or a design fetch of at least 2 miles between compass headings 341 to 0 or 0 to 244 degrees, as measured from true north."

#### Findings of Fact

1. On September 13, 2010, the Wetlands Bureau received an application for impacts, on the lot identified as Alton tax map 54, lot 27, (the "Lot") to repair an existing "U" shaped docking system with an unpermitted seasonal canopy, widen the interior boat slip from 10 ft 6 inches to 12 ft by reducing the dock widths from 8 ft 3 inches to 7 ft 6 inches, install a permanent boat lift in the center slip, after the fact request to retain a seasonal PWC lift, on Lake Winnepesaukee.

2. On September 14, 2010, the Wetlands Bureau received comments from the local Conservation Commission. These comments state the Conservation Commission could not find a permit for the canopy, the project is located 10 feet from the abutting property, the applicant did not submit the need for the proposed lift, and the abutter has concerns about the proposed project.

3. The abutter submitted a letter dated September 09, 2010 with concerns. These concerns include the location of the project 10 feet from the property line, the unpermitted fill in the waterbody, the illegal extension of the docks lakeward from the grandfathered length and the subsequent after the fact approval, and the failure of the Applicant to submit the need for the proposed impacts.

4. The applicant has an average of 160 feet of shoreline frontage.

5. The docking structures provide 3 boat slips on the frontage.

6. The unpermitted canopy is located within the 20 foot setback to the west property line.

7. The Department approved the repair of the docking structure with a boathouse in 1985.

8. The owner of record at that time repaired the docking structure and removed the boathouse but failed to reconstruct the boathouse within 5 years of the structure's removal.

9. The Department denied a request to reconstruct the boathouse (a permanent roof) in 1993 with findings the structure was abandoned and boathouses over public waters were no longer approved. No seasonal canopy was applied for or approved at that time.

10. On November 15, 2010, the Wetlands Bureau issued a Request for More Information letter to the Applicant requesting either evidence that the seasonal canopy had been approved or removal of the canopy from the structure.

11. The Request for More Information letter also requested that the boat lift be removed from the plans on the grounds that pursuant to RSA 482-A:3, XIII, (c), the installation of a boat lift within the abutter's setback without the abutter's permission is not approvable.

12. The Request for More Information letter also requested plans indicating that an unpermitted 12 foot x 23 foot deck would be removed from the frontage and its impact area restored.

13. The Wetlands Bureau granted 2 extensions to the applicant to the time frames pursuant to RSA 482-A:3 to respond to the Request for More Information letter.

14. The Wetlands Bureau received a response to the Request for More Information letter on May 6, 2011. The response to item number 1 and item 2 of the Request for More Information letter stated the canopy would be moved to the northerly slip and the entire non-conforming docking structure would be relocated slightly northerly. This would also move the proposed lift out of the 20 foot setback, however portions of the dock would still be located within the abutter's 20 ft setback.

15. The Wetlands Bureau issued a second Request for More Information on June 8, 2011. This letter requested plans indicating the repair of the docking structure with no seasonal canopy and no boat lift located within the abutters 20 ft setback and explained that any relocated dock must meet all current law and rules for docking structures.

16. The applicant submitted a response to the Wetlands Bureau second Request for More Information on August 08, 2011. This response requested to relocate the non-conforming docking structure northerly, but a portion still within the abutting 20 foot setback, retaining the non-conforming dimensions of the docking structure and construction type, installing the seasonal canopy over the center slip with a permanent boatlift in the center slip.

17. The existing non-conforming docking structure appear to exceeds the dimensions of the after the fact approval issued in 1995.

18. The proposal did not include a notarized letter from the abutter authorizing the location of the dock within the 20 foot setback to the abutters property line.

## Rulings in Support of Denial

1. The Applicant's proposal to modify a non-conforming docking system fails to reduce both the number of slips provided and the square feet of construction surface area over public waters and therefore, pursuant to Env-Wt 402.21, the application is denied.
2. The Applicant failed submit a notarized abutter letter for the construction of a docking system within the abutter's 20 ft setback, therefore, in accordance with RSA 482- A:3, XIII, (c), the application is denied.
3. The Abutter, from whom the signed, notarized waiver would be required, has submitted written objections to the project, to the file. Therefore this project is denied in accordance with RSA 482-A:11.

### **2010-02887                      NH DEPT OF TRANSPORTATION** **LISBON   Unnamed Wetland**

#### Requested Action:

Stabilize 1,000 ft. of road embankment impacting 16,264 sq. ft. (4,107 sq. ft. temporary) of palustrine wetlands. Compensatory mitigation is through a payment to the Aquatic Resource Mitigation fund.

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#### Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Local River Advisory Comm. - well thought out proposal.

#### APPROVE PERMIT:

Stabilize 1,000 ft. of road embankment impacting 16,264 sq. ft. (4,107 sq. ft. temporary) of palustrine wetlands. Compensatory mitigation is through a payment to the Aquatic Resource Mitigation fund. NHDOT project #16184.

#### With Conditions:

1. All work shall be in accordance with plans dated 6/28/11 by NHDOT Bureau of Highway Design, as received by the Department on July 11, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall be complete and shall include details regarding the timing and method of flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
13. The impacts associated with the temporary work shall be restored immediately following construction.



14. This approval is contingent on receipt by DES of a one time payment of \$32,901.05 to the DES Aquatic Resource Mitigation (ARM) Fund, specifically the Connecticut River from Johns River to Waits River watershed. DES shall receive the payment within 120 days of the date of the approval letter.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. On October 22, 2010 the DES issued an Emergency Authorization to temporarily impact 2,400 sq. ft. of wetlands to stabilize the road bank.
6. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on Feb. 16, 2011 and March 16, 2011. After considering other limiting factors and consulting with state and federal Natural Resource Agencies, it was determined that an in-lieu fee payment to the Aquatic Resource Mitigation fund will result in the most benefit to the watershed.

**2010-02916                      LOVERUD-WOLFEBORO REALTY TRUST**  
**WOLFEBORO   Unnamed Wetland Lake Winnepesaukee**

Requested Action:

Applicant requests additional impacts beyond those authorized in the initial Emergency Authorization to complete stabilization of the shoreline.

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APPROVE PERMIT:

Place 247 sq ft of small diameter rock in voids within the bank for stabilization purposes on property having an average of 360 ft of frontage on Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All new work shall be in accordance with plans by Watermark Marine Construction dated November 16, 2010, as received by the NH Department of Environmental Services (DES) on November 24, 2010.
2. Any further work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done in the dry.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
7. Stone shall be placed landward and above the shoreline at the normal high water, where practical, and shall not extend lakeward of the pre-existing shoreline contours.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that impact between 50 and 200 ft of shoreline on a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

**2011-00928                      OHOLLERAN, EILEEN**  
**NEW DURHAM   Merrymeeting Lake**

**Requested Action:**

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 10 ft walkway in a "U" configuration with a seasonal boat lift and two seasonal personal watercraft lifts, impact 3,180 sq ft of the bank to remove rip-rap, use recovered rip-rap to construct "planting pockets" to be planted with non-invasive species, lay footing for retaining wall at top of bank and construct a 750 sq ft perched beach on an average of 217 ft of frontage on Merrymeeting Lake in New Durham.

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**Conservation Commission/Staff Comments:**

Con Com has not submitted comments by 06/15/2011

**APPROVE PERMIT:**

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 10 ft walkway in a "U" configuration with a seasonal boat lift and two seasonal personal watercraft lifts, impact 3,180 sq ft of the bank to remove rip-rap, use recovered rip-rap to construct "planting pockets" to be planted with non-invasive species, lay footing for retaining wall at top of bank and construct a 750 sq ft perched beach on an average of 217 ft of frontage on Merrymeeting Lake in New Durham.

**With Conditions:**

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. revised April 15, 2011, as received by the NH Department of Environmental Services (DES) on May 2, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal docking structures shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. All rip-rap material not used in the planting pockets and retaining walls shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 648.44). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The Applicant has met the criteria of Rule Part Env-Wq 1413, Waivers, and therefore, Rule Env-Wq 1405.05, Slope Limitations, is waived.

**2011-01376                      MALLARD COVE ASSOC**  
**LACONIA   Opechee Lake**

Requested Action:

Replenish 1,100 sq ft of existing beach with less than 8 cubic yards of sand and repair 55 linear feet of retaining wall with no change in location or configuration on an approximately 1,028 ft of frontage on Lake Opechee, in Laconia.

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Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Replenish 1,100 sq ft of existing beach with less than 8 cubic yards of sand and repair 55 linear feet of retaining wall with no change in location or configuration on an approximately 1,028 ft of frontage on Lake Opechee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction as revised August 15, 2011, and received by the NH Department of Environmental Services (DES) on August 17, 2011.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. This permit does not allow for any work to the drainage swale.
5. Area shall be regraded to original contours following completion of work.
6. Repair shall maintain existing size, location and configuration.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
10. No more than 8 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining walls that require work in the water but result in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

**2011-01778                      MCMORROW JR, MAUREEN/RICHARD**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Permanently remove 4 sq ft of permanent dock over public waters, repair the remaining 17 ft x 9 ft 6 in deck with a 6 ft 2 in x 27 ft 4

in permanent dock, install a 6 ft x 44 ft seasonal dock connected to a 4 ft x 6 ft concrete anchor pad, install a 12 ft x 27 ft seasonal canopy over the center slip provided, relocate 3 rocks to under the new proposed docking structure on an average of 164 feet of shoreline frontage on Lake Winnepesaukee, in Meredith.

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Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove 4 sq ft of permanent dock over public waters, repair the remaining 17 ft x 9 ft 6 in deck with a 6 ft 2 in x 27 ft 4 in permanent dock, install a 6 ft x 44 ft seasonal dock connected to a 4 ft x 6 ft concrete anchor pad, install a 12 ft x 27 ft seasonal canopy over the center slip provided, relocate 3 rocks to under the new proposed docking structure on an average of 164 feet of shoreline frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated July 6, 2011, as received by the NH Department of Environmental Services (DES) on July 26, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. The seasonal pier shall be removed from the lake for the non-boating season.
10. No portion of the seasonal pier shall extend more than 44 feet from the shoreline at full lake elevation.
11. No portion of the seasonal pier shall be connected to or abut the existing non-conforming deck or docking system. The seasonal dock shall be completely detached from the existing docking system.
12. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking structure that exceeds the requirements for minimum impact docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 164 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

Requested Action:

Dredge and fill 9,450 square feet of wetlands for the relocation of Nash Stream Road away from Nash Stream as part of an instream and riparian/floodplain habitat restoration project.

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APPROVE PERMIT:

Dredge and fill 9,450 square feet of wetlands for the relocation of Nash Stream Road away from Nash Stream as part of an instream and riparian/floodplain habitat restoration project.

With Conditions:

1. All work shall be in accordance with plans by Gerard Land Surveying Co. entitled Nash Stream Forest Roadway Relocation as received by the Department on August 03, 2011; plans by NH Fish and Game as received by the Department on August 03, 2011; and narrative by NH Fish and Game as received by the Department on September 14, 2011.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be done during low flow.
5. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. The culverts shall be laid at original (stream) grade.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
23. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The is part of the Nash Stream Restoration Project, a collaborative effort by the Department of Resources and Economic Development, Trout Unlimited and NH Fish and Game Department.
6. The NHFG Nongame and Endangered Wildlife Program commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

**MINIMUM IMPACT PROJECT**

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**2010-01340                      OLSON, JOSHUA**  
**FITZWILLIAM   Laurel Lake**

Requested Action:

Amend permit to install a seasonal boatlift adjacent to an existing docking structure.

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APPROVE AMENDMENT:

Retain a 4 ft x 32 ft seasonal dock with a 4 ft x 8 ft seasonal dock in an "L" shaped configuration with 4 ft wide access stairs to the waterbody, with a seasonal boatlift in the northerly slip on an average of 145 ft of frontage on Laurel Lake, in Fitzwilliam.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants dated February 07, 2011, as received by the NH Department of Environmental Services (DES) on February 10, 2011 and amendment request plans by Aspen Environmental Consultants dated June 28, 2011, as received by the NH Department of Environmental Services (DES) on June 29, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of this docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. The seasonal boatlift shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 32 feet from the shoreline at full lake elevation.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has an average of 145 feet of shoreline frontage along Laurel Lake.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2011-02220                      NH DRED**  
**ODELL   Unnamed Stream**

**Requested Action:**

Dredge and fill 700 square feet of the bed and banks of Pike Brook for the removal of an undersized culvert and replacement with a bridge.

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**APPROVE PERMIT:**

Dredge and fill 700 square feet of the bed and banks of Pike Brook for the removal of an undersized culvert and replacement with a bridge.

**With Conditions:**

1. All work shall be in accordance with plans by DuBois & King Inc. entitled Trout Unlimited Upper Pike Culvert Replacement (Sheets 3-4 of 8) dated September 2011 as received by DES on September 06, 2011.
2. Materials used to emulate a natural channel bottom must be natural river stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
3. Work shall be done during low flow.
4. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Areas of temporary impact shall be restored to existing conditions following completion of work.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04 (t) Restoration of altered or degraded wetlands provided the project: (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The is part of the Nash Stream Restoration Project, a collaborative effort by the Department of Resources and Economic Development, Trout Unlimited and NH Fish and Game Department.
6. The project is to receive funds from the EPA 319 program.
7. The existing culvert is not passable by some fish species. The project proposes to restore fish passage.
8. A Professional Engineer stated that the proposed structure passes the 100 year storm event with no floodwaters by-passing the structure.
9. The NHFG Nongame and Endangered Wildlife Program commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

**EXPEDITED MINIMUM**

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**2006-01473                      ROUKEY, TIMOTHY & LORI**  
**HENNIKER   Unnamed Wetland**

Requested Action:

Request permit time extension.

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With Conditions:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01. 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01. 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2011-01843                      MARTHA B CHASE REV TRUST**  
**RYE   Unnamed Wetland**

Requested Action:



Impact approximately 429 square feet within the previously disturbed 100-foot tidal buffer zone to install paving between the existing driveway and the edge of pavement on Route 1A (Ocean Boulevard).

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Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 429 square feet within the previously disturbed 100-foot tidal buffer zone to install paving between the existing driveway and the edge of pavement on Route 1A (Ocean Boulevard).

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on August 1, 2011.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. There shall be no further alteration of jurisdictional areas for lot development or any other construction related activities.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01886 SYRACUSE, MELISA**  
**NEW CASTLE Piscataqua River**

Requested Action:

Impact a total of 500 sq. ft. (temporary & permanent) within the previously developed upland tidal buffer zone for work associated with the upgrade of the existing dwelling, decks and surroundings including the addition of a 10' x 6' entryway at the front of the house.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No report or comments were received from the New Castle Conservation Commission on this application.

APPROVE PERMIT:

Impact a total of 500 sq. ft. (temporary & permanent) within the previously developed upland tidal buffer zone for work associated with the upgrade of the existing dwelling, decks and surroundings including the addition of a 10' x 6' entryway at the front of the house.

With Conditions:

1. All work shall be in accordance with plans by MSC Civil Engineers dated December 30, 2009 (last revised 03/24/10) and Applicant, as received by the NH Department of Environmental Services (DES) on August 05, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. The NH DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the

Protected Shoreland.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

## CSPA PERMIT

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**2009-02617                      GURALL, BRUCE**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Request transfer of permit from Bruce Gurall, of 1 Main St, Concord, MA to James F. and Ann L. Orr of 128 Beacon St, Boston MA.

\*\*\*\*\*

APPROVE NAME CHANGE:

Transfer and issue permit to: Impact 6,204 sq ft to construct a 2,569 sq ft footprint building, paved driveway, and small patio area with landscape walls.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated October 28, 2009 and received by the Department of Environmental Services ("DES") on October 29, 2009.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,005 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,181 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00099                      ORR III, ANN/JAMES**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Approve name change to: James & Ann Orr III, 128 Beacon St., Boston MA 02116 per request received 9/7/11. Previous owner: Bruce Gurall.

\*\*\*\*\*

APPROVE NAME CHANGE:

Impact 11,200 sq ft for the construction of a house, garage, driveway, walkways.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated January 14, 2010 and received by the Department of Environmental Services ("DES") on January 20, 2010.
2. No more than 28.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 3,563 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,261 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands. A Wetland Permit will be required prior to any work performed within the wetlands.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

**2011-01905 BURL, JENNIFER**  
**MERRIMACK Souhegan River**

Requested Action:

Impact 2,626 sq ft for the purpose of constructing a 570 sq ft addition off an existing home, an attached garage, and associated impacts.

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Inspection Date: 09/09/2011 by Emily P Lucas

APPROVE PERMIT:

Impact 2,626 sq ft for the purpose of constructing a 570 sq ft addition off an existing home, an attached garage, and associated impacts.

With Conditions:

1. All work shall be in accordance with plans by Promised Land Survey, as modified by Lynn Zebrowski, dated June 21, 2011 and received by the NH Department of Environmental Services (DES) on August 8, 2011.
2. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 7,893 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01979                      WENSBERG, ERIK**  
**STRAFFORD   Bow   Lake**

Requested Action:

Impact 840 sq ft of existing altered area for the purpose of constructing a pervious patio and wooden stairway from the existing home to the patio.

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APPROVE PERMIT:

Impact 840 sq ft of existing altered area for the purpose of constructing a pervious patio and wooden stairway from the existing home to the patio.

With Conditions:

1. All work shall be in accordance with plans by Erik and Molly Wensberg received by the NH Department of Environmental Services (DES) on August 15, 2011.
2. No more than 12.96% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project will occur within an existing altered area. The project shall have no impacts to areas currently existing in an unaltered state located within the Natural Woodland Buffer beyond the primary building setback.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01980                      DRISCOLL, CAROL**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Impact 2500 sq ft for the purpose of demolishing an existing non-conforming structure and constructing a more nearly conforming structure with attached porch and open deck beyond the primary building setback and implementing a stormwater management plan.

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APPROVE PERMIT:

Impact 2500 sq ft for the purpose of demolishing an existing non-conforming structure and constructing a more nearly conforming structure with attached porch and open deck beyond the primary building setback and implementing a stormwater management plan.

With Conditions:

1. All work shall be in accordance with plans by Matthew Moore Engineering dated September 9, 2011 and received by the NH Department of Environmental Services (DES) on September 9, 2011.
2. No more than 24.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,232 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2011-01991**                      **BUZUN, FRANCIS/MARIANE**  
**ALTON Lake Winnepesaukee**

Requested Action:

Impact 3,094 sq ft for the purpose of relocating an existing driveway.

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APPROVE PERMIT:

Impact 3,094 sq ft for the purpose of relocating an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated August 9, 2011 and received by the Department of Environmental Services ("DES") on August 16, 2011.
2. No more than 42.4% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. No impacts shall occur to natural ground covers within the waterfront buffer.
4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,537 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions Plan" and received by DES must remain in an unaltered state.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Silt fencing must be removed once the area is stabilized.

**2011-01996                      SPENCER, DONALD**  
**AMHERST   Baboosic Lake**

**Requested Action:**

Impact 4,300 sq ft for the purpose of constructing a new, more nearly conforming primary structure and installing a new septic system and stormwater controls.

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**APPROVE PERMIT:**

Impact 4,300 sq ft for the purpose of constructing a new, more nearly conforming primary structure and installing a new septic system and stormwater controls.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc, dated August 9, 2011, and received by the Department of Environmental Services ("DES") on August 17, 2011.
2. No more than 37.2% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 1,534 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. Upon completion of the proposed project, the existing septic system shall pose no threat to adjacent surface waters.

**With Findings:**

1. The existing non-conforming structure is located within the 50 ft primary building setback to Baboosic Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not

expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.

3. The applicant has proposed to decrease the impervious area within the protected shoreland by 2,702 sq ft.
4. The applicant has proposed to install stormwater controls consisting of a 500 gallon dry well that will be capable of capturing stormwater from the proposed structure.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to achieve a greater setback from the reference line.
7. The applicant has proposed to decrease the overall impervious area within the protected shoreland.
8. The applicant has proposed to install stormwater controls, install a new septic system, reduce impervious surface coverage and achieve a greater setback and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-01998                      BRITTON, DENNIS**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 288 sq ft for the purpose of constructing a garage.

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APPROVE PERMIT:

Impact 288 sq ft for the purpose of constructing a garage.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors modified by Dennis Britton and received by the NH Department of Environmental Services (DES) on August 17, 2011. 2. The impervious surface area on the lot shall not exceed the limits of expansion defined on the "Hemlock Glen" A Condominium Plan prepared by Associated Surveyors dated September 1985.
3. There shall be no impacts to the waterfront or natural woodland buffer areas as a result of this proposal.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02004                      GURALL, KRISTEN**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Impact 2,201 sq ft for the purpose of replacing an pre-existing home with a more nearly conforming structure setback further from the primary building line, reconfiguring driveway, constructing a permeable parking area, patio, implementing a stormwater management plan, removing damaged vegetation and establishing planting beds in the waterfront buffer.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,201 sq ft for the purpose of replacing an pre-existing home with a more nearly conforming structure setback further from the primary building line, reconfiguring driveway, constructing a permeable parking area, patio, implementing a stormwater management plan, removing damaged vegetation and establishing planting beds in the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders, Inc. dated September 12, 2011 and received by the NH Department of Environmental Services (DES) on September 13, 2011.
2. No more than 22.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 608 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. Only those trees and shrubs damaged by the fire as shown on the approved plans shall be removed. No impacts shall occur to natural ground covers within the waterfront buffer.
6. The plantings in the waterfront buffer shall be completed within one year of the initiation of construction
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The applicant has proposed to reconstruct the home beyond the 50 ft setback thus making the replacement structure more nearly conforming.
2. The proposed patio will be constructed to achieve permeable standards.
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 1,329 sq ft.
4. The applicant has proposed to install stormwater controls and reduce the total amount of impervious surface coverage within the waterfront buffer by approximately 137 sq ft.

**2011-02061 FUREY JR, ROBERT**  
**RUMNEY Stinson Lake**

Requested Action:

Impact 2,110 sq ft for the purpose of reconstructing an existing home within the pre-existing footprint with minor modifications.

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APPROVE PERMIT:

Impact 2,110 sq ft for the purpose of reconstructing an existing home within the pre-existing footprint with minor modifications.

With Conditions:

1. All work shall be in accordance with plans by Robert Furey received by the NH Department of Environmental Services (DES) on August 25, 2011 and September 12, 2011.
2. No more than 10.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to the waterfront buffer or areas located beyond the 50 ft setback and within 150 ft of the reference line currently existing in an unaltered state as a result of this proposal.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and



remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02086                      TARAMOR 1 LLC & TARAMOR 2 LLC**  
**RYE   Atlantic Ocean**

**Requested Action:**

Impact 23,690 sq ft in order to construct a pool with pool house, modify house with additions, add native plants, and construct stone walls.

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**APPROVE PERMIT:**

Impact 23,690 sq ft in order to construct a pool with pool house, modify house with additions, add native plants, and construct stone walls.

**With Conditions:**

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated August 24, 2011 and received by the NH Department of Environmental Services (DES) on August 29, 2011.
2. No more than 8.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02097                      LEGG, DEXTER/ELLEN**  
**PORTSMOUTH   Little Harbor**

**Requested Action:**

Impact 3,853 sq ft in order to demolish house and garage. Rebuild house in existing footprint, garage moved further from wetland jurisdiction, reduce the deck, sidewalk, driveway size, remove artificial turf and replant with native plantings.

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**APPROVE PERMIT:**

Impact 3,853 sq ft in order to demolish house and garage. Rebuild house in existing footprint, garage moved further from wetland jurisdiction, reduce the deck, sidewalk, driveway size, remove artificial turf and replant with native plantings.

With Conditions:

1. All work shall be in accordance with plans by Terra Firma Landscape Architecture dated August 26, 2011 and received by the NH Department of Environmental Services (DES) on August 29, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 26.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02116 SWAIN REVOC TRUST, MARILYN COOK**  
**PITTSBURG First Connecticut Lake**

Requested Action:

Impact 3,170 sq ft in order to construct a foundation under existing cabin, close in a porch with 20 sq ft addition, and install a septic system.

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APPROVE PERMIT:

Impact 3,170 sq ft in order to construct a foundation under existing cabin, close in a porch with 20 sq ft addition, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Noth Country Septic Design dated August 26, 2011 and received by the NH Department of Environmental Services (DES) on August 30, 2011. 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,233 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02149 TILTON - NORTHFIELD WATER DISTRICT**  
**TILTON Winnepesaukee River**

Requested Action:

Impact 10,325 sq ft in order to construct two waterline crossings across Winnepesaukee River to connect with an existing municipal

system.

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**APPROVE PERMIT:**

Impact 10,325 sq ft in order to construct two waterline crossings across Winnepesaukee River to connect with an existing municipal system.

**With Conditions:**

1. All work shall be in accordance with plans by Stantec Consulting Services Inc. dated July 1, 2011 and received by the NH Department of Environmental Services (DES) on September 1, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2011-02153                      SOLOMON, JANICE**  
**MADISON   Silver Lake**

**Requested Action:**

Impact 9,875 sq ft in order to remove an existing nonconforming structure and build a new primary structure behind the primary building setback, modify driveway, and construct a new septic system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 9,875 sq ft in order to remove an existing nonconforming structure and build a new primary structure behind the primary building setback, modify driveway, and construct a new septic system.

**With Conditions:**

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated August 30, 2011 and received by the NH Department of Environmental Services (DES) on September 1, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 27.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 4,341 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2011-02156                      RIEPEL, BRENDA/RICHARD**  
**SANBORTON   Hermit Lake**

**Requested Action:**

Impact 4,756 sq ft in order to construct a detached garage, an addition to the existing house, reconfigured driveway, and a patio located on the lake side of house.

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**APPROVE PERMIT:**

Impact 4,756 sq ft in order to construct a detached garage, an addition to the existing house, reconfigured driveway, and a patio located on the lake side of house.

**With Conditions:**

1. All work shall be in accordance with plans by Advanced Land Surveying Consultants, PLLC dated August 1, 2011 and received by the NH Department of Environmental Services (DES) on September 1, 2011.
2. No more than 9.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 5,303 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02178                      CURLL, DANIEL/JOYCE**  
**ALSTEAD   Warren Lake**

**Requested Action:**

Impact 5,445 sq ft for the purpose of installing concrete columns to support an existing porch and deck, expanding the existing deck, constructing an elevated wooden walkway/ramp with support columns, expanding the gravel driveway, and constructing a detached garage.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 5,445 sq ft for the purpose of installing concrete columns to support an existing porch and deck, expanding the existing deck, constructing an elevated wooden walkway/ramp with support columns, expanding the gravel driveway, and constructing a detached garage.

**With Conditions:**

1. All work shall be in accordance with plans by Livengood Earth Works LLC dated August 9, 2011 and received by the NH Department of Environmental Services (DES) on September 2, 2011.
2. No more than 3.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 22,479 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02206                      BRIGGS, GEORGE/NINA**  
**FRANKLIN   Webster Lake**

Requested Action:

Impact 1,719 sq ft for the purpose of constructing a 4 ft crawl space with frost walls beneath an existing cottage.

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APPROVE PERMIT:

Impact 1,719 sq ft for the purpose of constructing a 4 ft crawl space with frost walls beneath an existing cottage.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Service dated August 26, 2011 and received by the NH Department of Environmental Services (DES) on September 6, 2011.
2. No more than 0.14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to areas currently existing in an unaltered state within the Natural Woodland Buffer beyond the primary building setback.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02208                      KOLM, LUKAS**  
**NEW CASTLE   Lavenger Creek**

Requested Action:

Impact 5,250 sq ft for the purpose of constructing a single family home with an attached deck and garage, walkways, utilities, a driveway, and implementing a stormwater management plan which includes rain gutters and establishing a rain garden.

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APPROVE PERMIT:

Impact 5,250 sq ft for the purpose of constructing a single family home with an attached deck and garage, walkways, utilities, a driveway, and implementing a stormwater management plan which includes rain gutters and establishing a rain garden.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc dated September 1, 2011 and received by the NH

Department of Environmental Services (DES) on September 6, 2011.

2. No more than 28.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This proposal is contingent upon the implementation of the proposed stormwater treatment plan depicted on the plan. The stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2011-02218                      WILSON, PATRICIA**  
**WARREN   Baker River**

Requested Action:

Impact 3,410 sq ft for the purpose of constructing an addition to a single family home and a detached garage.

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APPROVE PERMIT:

Impact 3,410 sq ft for the purpose of constructing an addition to a single family home and a detached garage.

With Conditions:

1. All work shall be in accordance with plans by Harry J. Burgess, Surveyor dated August 2011 and received by the NH Department of Environmental Services (DES) on September 6, 2011.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to the waterfront buffer as a result of this proposal.
4. The applicant shall be responsible for achieving and maintaining compliance with rules and regulations of the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02219                      MARTIN, ANDREW**  
**NOTTINGHAM   Pawtuckaway Pond**

Requested Action:

Impact 6,617 sq ft for the purpose of constructing an addition to an existing non-conforming structure, constructing a new gravel drive outside of the waterfront buffer, and restoring/re-vegetating 1,140 of existing gravel drive, a portion of which is located in the waterfront buffer.

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APPROVE PERMIT:

Impact 6,617 sq ft for the purpose of constructing an addition to an existing non-conforming structure, constructing a new gravel drive outside of the waterfront buffer, and restoring/re-vegetating 1,140 of existing gravel drive, a portion of which is located in the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on September 6, 2011.
2. No more than 19.91% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 6,989 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This approval is contingent upon the restoration and re-vegetation of 1,140 sq ft of existing gravel driveway located within the waterfront and natural woodland buffer.
5. The applicant shall be responsible for achieving and maintaining compliance with rules and regulations under the purview of the DES Subsurface Systems Bureau.
6. The applicant shall be responsible for achieving and maintaining compliance with rules and regulations under the purview of the DES Wetlands Bureau.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.